

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte TADAYOSHI IIJIMA

Appeal No. 2008-6203
Application No. 09/748,188
Technology Center 1700

Mailed: October 20, 2008

Before DALE M. SHAW, *Chief Appeals Administrator*.

SHAW, *Chief Appeals Administrator*.

ORDER REMANDING TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on July 14, 2008. Appeal Number 2008-6203 was assigned and a docketing notice was mailed September 26, 2008. On October 3, 2008, an Information Disclosure Statement (IDS) was filed by Appellant. There is no indication on the record that the Examiner has considered the above listed IDS. MPEP § 609 requires the Examiner to

consider any IDS filed by Applicant if timely submitted. A written communication notifying Appellant of the Examiner's consideration of the above IDS is required.

CONCLUSION

Accordingly, it is

ORDERED that the application is remanded to the Examiner to:

- 1) consider the IDS filed October 3, 2008, and
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

DMS/cam

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